

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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MARK AUGER,

Plaintiff,

v.

Case No. 05-C-158

WILLIAM GROGAN,

Defendant.

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**ORDER OF DISMISSAL**

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Based upon the apparent agreement of the parties, and in light of the failure of the plaintiff to prosecute this action, **IT IS HEREBY ORDERED** that this matter is dismissed on its merits without prejudice and without costs to either party.

Dated this 13th day of February, 2006.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge